

No. 15-41521

IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

UNITED STATES OF AMERICA,  
Plaintiff-Appellee,

v.

SALVADOR RANGEL-MEZA,  
Defendant-Appellant.

Appeal from the United States District Court  
for the Southern District of Texas

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BRIEF FOR APPELLANT

In Accordance with Anders v. California, 386 U.S. 738 (1967)

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**CERTIFICATE OF INTERESTED PERSONS**

**United States v. Salvador Rangel-Meza**

**No. 15-41521**

The undersigned counsel of record certifies that the following listed persons and entities as described in the fourth sentence of Rule 28.2.1 have an interest in the outcome of this case.

1. The Honorable Andrew S. Hanen, United States District Judge.
2. The Honorable Ignacio Torteya III, United States Magistrate Judge.
3. Salvador Rangel-Meza, Defendant-Appellant.
4. United States of America, Plaintiff-Appellee.
5. Counsel for Plaintiff-Appellee:  
United States Attorney Kenneth Magidson; and Assistant United States Attorneys David Coronado (in district court) and Renata A. Gowie (on appeal).
6. Counsel for Defendant-Appellant:  
Federal Public Defender Marjorie A. Meyers; and Assistant Federal Public Defenders Cesar A. Amador (in district court) and Scott A. Martin (on appeal).

These representations are made in order that the judges of this Court may evaluate possible disqualification or recusal.

s/ Scott A. Martin \_\_\_\_\_  
SCOTT A. MARTIN

### PREAMBLE

This brief is submitted in accordance with Anders v. California, 386 U.S. 738 (1967). Given the limitation Mr. Rangel-Meza has placed on the appeal (he wishes to appeal only his sentence), counsel has carefully examined the record on appeal and has researched the law in connection therewith, but has concluded that the appeal presents no legally nonfrivolous questions with regard to Mr. Rangel-Meza's sentence. Finding nothing in the record that would support an appeal of Mr. Rangel-Meza's sentence, counsel therefore moves to withdraw.

### STATEMENT RESPECTING ORAL ARGUMENT

Counsel for the defendant-appellant has moved to withdraw as counsel based on Anders v. California; consequently, oral argument is not requested.

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## STATEMENT OF JURISDICTION

The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1291, as this is an appeal from a final judgment of conviction and sentence entered by the United States District Court for the Southern District of Texas. Jurisdiction also lies under 18 U.S.C. § 3742.

The judgment appealed from was entered on the docket on November 23, 2015. Mr. Rangel-Meza had previously filed his notice of appeal on November 9, 2015, following the announcement of judgment and sentence on October 28, 2015. This appeal is timely. See Fed. R. App. P. 4(b)(1)(A)(i) & (2).

## STATEMENT OF THE ISSUES

ISSUE ONE: Whether this Court may pretermitt evaluation of Mr. Rangel-Meza's guilty-plea proceeding and conviction because he has evinced his desire to appeal only his sentence.

ISSUE TWO: Whether there is any nonfrivolous argument for reversal of Mr. Rangel-Meza's sentence.

## STATEMENT OF THE CASE

Mr. Rangel-Meza, a citizen of Mexico, was deported from the United States on March 25, 2014. ROA.149.<sup>1</sup> He reentered the United States and, on April 12, 2015, was found in Cameron County, Texas. ROA.149. He had no legal right to reenter or remain in the United States. ROA.149.

On May 5, 2015, a federal grand jury in the Brownsville Division of the Southern District of Texas returned a one-count indictment charging Mr. Rangel-Meza with being found unlawfully present in the United States after deportation subsequent to a conviction for an aggravated felony, in violation of 8 U.S.C. § 1326(a) and (b)(2). ROA.14.

On June 26, 2015, without a plea agreement, Mr. Rangel-Meza pleaded guilty to the indictment. ROA.35-39. On October 28, 2015, the district court (United States District Judge Andrew S. Hanen presiding) sentenced him to a 41-month term of imprisonment, to be followed by a three-year term of supervised release. ROA.91-92, 166-67. The court did not impose a fine. ROA.167. And, on the government's motion, the court ordered that the mandatory \$100 special assessment be remitted (forgiven). ROA.94, 167.

Mr. Rangel-Meza filed a timely notice of appeal on November 9, 2015.

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<sup>1</sup> The electronic record on appeal ("ROA") is cited in accordance with 5th Cir. R. 28.2.2.

ROA.75-76. This appeal followed.

Other facts relevant to this appeal are set forth in the Argument section below. The gist of this appeal is that, finding no nonfrivolous issues for appeal of Mr. Rangel-Meza's sentence (he has limited his appeal to his sentence only), counsel moves to withdraw pursuant to Anders v. California, 386 U.S. 738 (1967).

## SUMMARY OF THE ARGUMENT

This Court may pretermitt evaluation of Mr. Rangel-Meza's guilty-plea proceeding and conviction because he has evinced his desire to appeal only his sentence. And, there is no nonfrivolous argument for reversal of Mr. Rangel-Meza's sentence. The district court committed no reversible error in its calculation of the applicable Sentencing Guidelines, and it committed no other reversible procedural error in imposing sentence. Nor can Mr. Rangel-Meza overcome the presumption that his within-Guideline sentence is substantively reasonable.

Because no nonfrivolous issues for appeal are presented for review by this Court, counsel moves to withdraw under Anders v. California, 386 U.S. 738 (1967).

## ARGUMENT

ISSUE ONE RESTATED: This Court may pretermitt evaluation of Mr. Rangel-Meza's guilty-plea proceeding and conviction because he has evinced his desire to appeal only his sentence.

A. Standard of review.

As stated, undersigned counsel suggests that this Court may pretermitt consideration of Mr. Rangel-Meza's guilty plea and conviction. If this Court were to consider those aspects of this case, however, the following standards of review would apply.

Whether the requirements of Federal Rule of Criminal Procedure 11 were satisfied is a conclusion of law and is therefore reviewable de novo. See United States v. Scott, 987 F.2d 261, 264 (5th Cir. 1993). A district court's finding that there is an adequate factual basis for a plea of guilty, as required by Fed. R. Crim. P. 11(b)(3), is reviewed under the clearly-erroneous standard. See United States v. Adams, 961 F.2d 505, 509 (5th Cir. 1992). However, before this Court will vacate a guilty plea, the Court must find both (1) that the district court varied from the procedures required by Rule 11; and (2) if so, that the variance affected the substantial rights of the defendant. See, e.g., United States v. Johnson, 1 F.3d 296, 298 (5th Cir. 1993) (en banc). Finally, where a claim of noncompliance with the requirements of Rule 11 is raised for the first time on appeal, it is subject only to review for plain error

under Fed. R. Crim. P. 52(b). See United States v. Dominguez Benitez, 542 U.S. 74, 79-83 (2004); United States v. Vonn, 535 U.S. 55, 59 & 62-74 (2002).

B. Mr. Rangel-Meza wishes to appeal only his sentence; therefore, this Court may pretermitt consideration of his guilty-plea proceeding and his conviction.

This Court has held that “it is consistent with Anders [v. California, 386 U.S. 738 (1967),] for counsel to pretermitt consideration of an appellant’s guilty plea at the appellant’s request,” United States v. Garcia, 483 F.3d 289, 291 (5th Cir. 2007), provided that there is “some confirmation in the record of appellant’s request.” Id.; see also United States v. Polanco-Ozorto, 772 F.3d 1053, 1054-55 (5th Cir. 2014). Here, there is such confirmation. In a document entitled “Decision Regarding My Appeal,” which is reproduced as an appendix to this brief, Mr. Rangel-Meza has evinced his desire to appeal only the sentence in his case, and not to appeal his conviction. (In that document, he also consented to the filing of the document in court records.) Because Mr. Rangel-Meza wishes to appeal only his sentence, undersigned counsel, in accordance with Garcia, pretermitts discussion of Mr. Rangel-Meza’s guilty-plea proceeding and conviction, and proceeds directly to a discussion of Mr. Rangel-Meza’s sentence.



ISSUE TWO RESTATED: There is no nonfrivolous argument that the district court reversibly erred in sentencing Mr. Rangel-Meza.

A. Standard of review.

A district court's compliance with the sentencing procedures of Federal Rule of Criminal Procedure 32 is reviewed de novo. See, e.g., United States v. Myers, 150 F.3d 459, 465 (5th Cir. 1998). This Court "review[s] the district court's interpretation or application of the Sentencing Guidelines de novo and its factual findings for clear error." United States v. Trujillo, 502 F.3d 353, 356 (5th Cir. 2007) (footnote and italics omitted). If a defendant fails to object in the district court, this Court reviews the sentence only for plain error. See, e.g., United States v. Ronquillo, 508 F.3d 744, 748 (5th Cir. 2007).

After United States v. Booker, 543 U.S. 220 (2005), federal courts of appeals review sentences for reasonableness. See Booker, 543 U.S. at 261-62. Under the reasonableness review mandated by Booker, "[r]egardless of whether the sentence imposed is inside or outside the Guidelines range, the appellate court must review the sentence under an abuse-of-discretion standard." Gall v. United States, 552 U.S. 38, 51 (2007). This Court has held that sentences within a properly calculated Guidelines range are entitled to a rebuttable presumption of reasonableness. See United States v. Alonzo, 435 F.3d 551, 554 (5th Cir. 2006).

B. There is no nonfrivolous argument for reversal of Mr. Rangel-Meza’s sentence.

1. There is no nonfrivolous issue arising from the district court’s Sentencing Guideline calculations.

Using the 2014 edition of the United States Sentencing Guidelines (“USSG”), the district court correctly calculated Mr. Rangel-Meza’s total offense level to be 21, as shown in the table below:

Calculation	Levels	USSG §	Description	Where in record?
Base Offense Level	8	2L1.2(a)	8 U.S.C. § 1326	ROA.182 (PSR ¶ 15)
Specific Offense Characteristic	+16	2L1.2(b)(1)(A)(ii)	Deported after a conviction for a felony “crime of violence”	ROA.182-83 (PSR ¶ 16); <u>see also</u> discussion below.
Adjustment to Offense Level	-3	3E1.1(a) & (b)	Acceptance of responsibility	ROA.183 (PSR ¶ 21)
<b>Total Offense Level</b>	<b>21</b>			ROA.183 (PSR ¶ 24); <u>see also</u> ROA.202.

The district court did not err when it assessed a 16-level “crime of violence” enhancement under § 2L1.2(b)(1)(A)(ii). The enhancement was based on Mr. Rangel-Meza’s 2013 Texas conviction for second-degree robbery, in violation of Tex. Penal Code § 29.02(a)(2) (Vernon 2011), for which he received a sentence of 30 months’ imprisonment. ROA.182-83 (PSR ¶ 16); see also ROA.192-200 (state conviction

records). This Court has held that Texas robbery is categorically a “crime of violence” for purposes of USSG § 2L1.2(b)(1)(A)(ii). See United States v. Santiesteban-Hernandez, 469 F.3d 376, 381 (5th Cir. 2006), abrogated on other grounds by United States v. Cabecera Rodriguez, 711 F.3d 541, 548 (5th Cir. 2013) (en banc); see also United States v. Ortiz-Rojas, 575 Fed. Appx. 494, 495 (5th Cir. 2014) (unpublished) (citing Santiesteban-Hernandez).

The PSR correctly calculated Mr. Rangel-Meza’s criminal history score and category in the following manner:

<b>Date of Sentence</b>	<b>Offense and Sentence</b>	<b>USSG §</b>	<b>Pts.</b>	<b>Where in record?</b>
7/19/13	Robbery: 30 months in custody	4A1.1(a)	3	ROA.184 (PSR ¶ 27)
<b>Criminal History Total</b>			<b>3</b>	ROA.185 (PSR ¶ 28)

With a total of three criminal history points, Mr. Rangel-Meza was correctly placed in criminal history category II. ROA.202. The district court correctly determined that a total offense level of 21 and a criminal history category of II produced a Guideline imprisonment range of 41 to 51 months. ROA.162, 202; see also USSG Ch. 5, Pt. A (Sentencing Table). There is no nonfrivolous issue for appeal regarding these Guidelines calculations.

There also is no nonfrivolous argument that Mr. Rangel-Meza was subject to only a two-year statutory maximum sentence under 8 U.S.C. § 1326(a). At the rearraignment hearing, Mr. Rangel-Meza admitted that he was last deported from the United States on March 25, 2014, which was after his 2013 Texas robbery conviction (for which he received a sentence of 30 months in custody). ROA.184 (PSR ¶ 27). Accordingly, he was subject to either a 10-year statutory maximum under 8 U.S.C. § 1326(b)(1) or a 20-year statutory maximum under 8 U.S.C. § 1326(b)(2), depending on whether that prior robbery conviction was merely a “felony,” or, rather, an “aggravated felony.” The Board of Immigration Appeals (“BIA”) has held that Texas robbery is an “aggravated felony” under 8 U.S.C. § 1101(a)(43)(G), see, e.g., Matter of Ortiz-Garcia, 2009 WL 263135 (BIA Jan. 13, 2009) (unpublished), and the 30-month prison sentence Mr. Rangel-Meza received for his Texas robbery conviction meets the “at least one year” threshold of § 1101(a)(43)(G). Thus, Mr. Rangel-Meza was subject to a maximum prison sentence of 20 years under 8 U.S.C. § 1326(b)(2). And in any event, the court ultimately sentenced him to a term of 41 months’ imprisonment, below even the 10-year statutory maximum term provided for in § 1326(b)(1).

As the tables and discussions above reflect, there is no nonfrivolous issue to appeal regarding the Guidelines calculations and the statutory sentencing scheme in

this case.

2. There is no nonfrivolous procedural issue arising from the imposition of Mr. Rangel-Meza's sentence.

The district court's compliance with the relevant procedural requirements of sentencing is set forth in the following table:

<b>Requirement</b>	<b>Source of requirement</b>	<b>Where in record?</b>
Notice of possibility of departure on ground not identified in PSR or prehearing submissions by parties	Fed. R. Crim. P. 32(h)	N/A
Verify that the defendant and the defendant's attorney have read and discussed the PSR and any addendum	Fed. R. Crim. P. 32(i)(1)(A)	ROA.158; <u>see also</u> discussion below.
Give the defendant a written summary of – or summarize <u>in camera</u> – any information excluded from the PSR on which court will rely at sentencing and give defendant a reasonable opportunity to comment	Fed. R. Crim. P. 32(i)(1)(B)	N/A
Allow defendant's attorney to comment on probation officer's determinations and other matters relating to an appropriate sentence	Fed. R. Crim. P. 32(i)(1)(C)	ROA.158-61, 163-65
For any disputed portion of the PSR or other controverted matter, rule on the dispute or determine that a ruling is not necessary	Fed. R. Crim. P. 32(i)(3)(B)	ROA.161-62, 166
Allow defendant's attorney to speak on defendant's behalf	Fed. R. Crim. P. 32(i)(4)(A)(i)	ROA.163-65

Address defendant personally in order to allow him to speak on his own behalf (allocution)	Fed. R. Crim. P. 32(i)(4)(A)(ii)	ROA.165-66
Advise defendant of his right to appeal his conviction and sentence, and to do so <u>in forma pauperis</u> if necessary	Fed. R. Crim. P. 32(j)(1)(A)-(C)	No. <u>See</u> discussion below.
Judgment correctly sets forth the plea or verdict, adjudication of guilt, and sentence	Fed. R. Crim. P. 32(k)(1)	Yes. <u>Compare</u> ROA.166-67, <u>with</u> ROA.90-94.
State in open court the reasons for the imposition of the particular sentence	18 U.S.C. § 3553(c)	ROA.166-67; <u>see also</u> discussion below.
If the applicable Guideline range exceeds 24 months, state the reason for imposing a sentence at a particular point within the range	18 U.S.C. § 3553(c)(1)	N/A
If a departure or variance sentence is imposed, state the specific reason for such departure or variance	18 U.S.C. § 3553(c)(2)	N/A

Although the district court asked whether defense counsel and Mr. Rangel-Meza had gone over the PSR together (ROA.158), the court did not ask the same question with respect to the PSR Addendum. This error does not, however, on plain-error review require reversal of Mr. Rangel-Meza's sentence because the record does not reflect any prejudice to Mr. Rangel-Meza as a result of this error. See United

States v. Esparza-Gonzalez, 268 F.3d 272, 274 (5th Cir. 2001).<sup>2</sup>

The district court did not advise Mr. Rangel-Meza of his right to appeal, much less his right to do so in forma pauperis. However, because Mr. Rangel-Meza, through court-appointed counsel, perfected a timely appeal, and because Mr. Rangel-Meza is proceeding in forma pauperis on that appeal, any deviation from the requirements of Rule 32(j)(1)(A)-(C) is harmless and presents no nonfrivolous issue for appeal.

With respect to the reasons requirement of 18 U.S.C. § 3553, this Court had held, prior to Booker, that this requirement is generally satisfied when the court indicates the applicable Guideline range and how it is chosen (including by adoption of the PSR in which the Guideline calculations and resulting range are set forth), see United States v. Reyes-Lugo, 238 F.3d 305, 310 (5th Cir. 2001); and the district court adopted the PSR here. ROA.166. And, even after Booker, this Court has held that “little explanation is required” when a judge elects to sentence within the Guidelines, United States v. Mares, 402 F.3d 511, 519 (5th Cir. 2005); and the district court did

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<sup>2</sup> The PSR Addendum simply stated that (1) “[o]n August 19, 2015, the government filed a written notice of no objections to the presentence investigation report”; and (2) “[a]s of August 31, 2015, the U.S. Probation officer has not received a notice of objections to the presentence investigation report from the defendant, nor his attorney.” ROA.201. Defense counsel subsequently filed written objections to the PSR (ROA.48-50), which were aired and addressed in Mr. Rangel-Meza’s presence at sentencing. See ROA.158-62.

sentence within the Guidelines in this case. ROA.166, 202-03.<sup>3</sup>

Nevertheless, with respect to the prison term and the supervised-release term, it is arguable that the district court gave inadequate reasons for its sentence. See United States v. Mondragon-Santiago, 564 F.3d 357, 362-64 (5th Cir. 2009). Even if the district court could have said more by way of explanation of its sentence, however, any deficiencies in the explanation do not require reversal under the plain-error standard applicable in the absence of an objection to the adequacy of the explanation for the sentence. See, e.g., United States v. Lopez-Velasquez, 526 F.3d 804, 806 (5th Cir. 2008) (unobjected-to procedural errors, like an allegedly inadequate explanation for the sentence, reviewed only for plain error). This is so because Mr. Rangel-Meza cannot show that the sentence would be different but for the lack of explanation. See Mondragon-Santiago, 564 F.3d at 364-65. Accordingly, there is no nonfrivolous argument that there was reversible procedural error in the sentencing in this case.

3. There is no nonfrivolous substantive issue with respect to Mr. Rangel-Meza's sentence.

As noted above, the district court applied the correct Guideline imprisonment

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<sup>3</sup> Particularly, the district court sentenced Mr. Rangel-Meza to 41 months' imprisonment, which was within the advisory Guideline imprisonment range of 41 to 51 months, and to three years of supervised release, which was within the Guideline supervised-release range of one to three years. ROA.202-03.



range and Guideline supervised-release range, and then imposed a within-Guideline prison sentence, and a supervised-release term within the supervised-release range. The within-Guideline prison sentence and supervised-release term are deemed presumptively reasonable on appeal, see Alonzo, 435 F.3d at 554, and Mr. Rangel-Meza cannot overcome that presumption, especially on the plain-error review at least arguably applicable in the absence of an objection to the sentence.<sup>4</sup> Put another way, Mr. Rangel-Meza cannot show — especially on plain-error review — that his sentence “does not account for a factor that should receive significant weight, [that] it gives significant weight to an irrelevant or improper factor, or [that] it represents a clear error of judgment in balancing sentencing factors.” United States v. Cooks, 589 F.3d 173, 186 (5th Cir. 2009) (citation omitted).

Nor is there plain error<sup>5</sup> in any of the conditions of Mr. Rangel-Meza’s supervised release. Most of the conditions imposed by the court in Mr. Rangel-

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<sup>4</sup> This Court has consistently affirmed the imposition of a term of supervised release in illegal-reentry cases under both harmless- and plain-error review. See, e.g., United States v. Dominguez-Alvarado, 695 F.3d 324, 328-30 (5th Cir. 2012) (no plain error; even if defendant had properly objected, court’s particularized statement was sufficient); United States v. Becerril-Peña, 714 F.3d 347, 349-51 (5th Cir. 2013) (no error); United States v. Cancino-Trinidad, 710 F.3d 601, 606-08 (5th Cir. 2013) (no plain error); United States v. Garcia-Lemus, 509 Fed. Appx. 324, 324-25 (5th Cir. 2013) (unpublished) (no plain error even when court gave no reasons for imposing supervised release).

<sup>5</sup> The plain-error standard of review applies because Mr. Rangel-Meza did not object to his supervised release conditions. See, e.g., United States v. Weatherton, 567 F.3d 149, 152 (5th Cir. 2009).

Meza's case are standard conditions either under the Guidelines or under Southern District of Texas rules. And there is no plain error in the special conditions imposed, which include that he "not possess a firearm, ammunition, destructive device, or any other dangerous weapon" and that, if deported, he is "not to re-enter the United States illegally." ROA.92-93. These are nothing more than specific iterations of the standard supervised-release conditions that a defendant shall not violate any federal, state, or local laws and shall report while on supervised release. Nor was there any plain error in imposing the condition that he "cooperate in the collection of DNA as directed by the probation officer." ROA.92. This Court has held that collection of DNA samples from felons does not violate the Fourth Amendment. See Velasquez v. Woods, 329 F.3d 420, 421 (5th Cir. 2003).

Finally, Mr. Rangel-Meza did not receive a fine, and, on the government's motion, the \$100 mandatory special assessment was remitted (forgiven). ROA.94. For these reasons, there is no there is no nonfrivolous substantive issue with respect to Mr. Rangel-Meza's sentence.

## CONCLUSION

After examining the facts of the case in light of the applicable law, it is the opinion of counsel on appeal that there is no basis for presenting any legally nonfrivolous issue.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

I certify that today, March 29, 2016, the foregoing brief and its appendix were served upon Assistant United States Attorney Renata A. Gowie, counsel for appellee, by notice of electronic filing with the Fifth Circuit CM/ECF system. A courtesy copy of this document will be hand-delivered to Ms. Gowie at the United States Attorney's Office, 1000 Louisiana, Suite 2300, Houston, Texas 77002.

In accordance with the Fifth Circuit's Anders Guidelines, I further certify that a copy of the brief for appellant is being served by first-class United States mail, postage prepaid, priority mail, upon Mr. Salvador Rangel-Meza, Reg. No. 86299-379, FCI Mendota, P. O. Box 9, Mendota, California 93640, and that counsel has reasonably attempted to communicate, in a manner and a language understood by the defendant: (i) that counsel has fully examined the record and reviewed the relevant law, and there are no meritorious issues for appeal; (ii) that counsel has therefore moved to withdraw; (iii) that if granted, the motion will result in dismissal of the appeal; but (iv) the defendant has the right to file a response in English, opposing counsel's motion, within 30 days.

s/ Scott A. Martin  
SCOTT A. MARTIN

### CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume limitation of Fed. R. App. P. 32(a)(7)(B) because it contains 3,310 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(a)(7)(B)(iii).
2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Corel WordPerfect X5 software in Times New Roman 14-point font in text and Times New Roman 12-point font in footnotes.
3. This brief was filed electronically, in native Portable Document File (PDF) format, via the Fifth Circuit's CM/ECF system.

s/ Scott A. Martin  
SCOTT A. MARTIN

**APPENDIX:**  
**Decision Regarding My Appeal**  
**of Salvador Rangel-Meza**

CAR  
11-5-15



DECISION REGARDING MY APPEAL

I am the defendant in United States v. Salvador Rangel-Meza, Cr. No. B-15-0381. I understand that I have the right to appeal the conviction and sentence in this case and to have the assistance of appointed counsel on appeal. I understand that I do not have to pay for the appeal. I understand that if I want to appeal, I must notify the court within fourteen days of entry of judgment in my case. Having discussed my appeal rights with my attorney, I make the following decision with regard to my appeal:

[WRITE YOUR INITIALS NEXT TO ONE CHOICE ONLY]

- \_\_\_\_\_ I DO NOT want to appeal
- \_\_\_\_\_ I wish to appeal my SENTENCE ONLY
- \_\_\_\_\_ I wish to appeal my CONVICTION and SENTENCE

Further, I authorize my attorney to file this document in the public records of the court.

DECISION SOBRE MI APELACION

Yo soy el acusado/la acusada en el caso de United States v. Salvador Rangel-Meza, Cr. No. B-15-0381. Entiendo que tengo el derecho de apelar el juicio de condena y sentencia en este caso así como para tener la ayuda de un abogado nombrado por la corte, sin costo para mí, durante dicha apelación. También entiendo que no tengo que pagar nada por dicha apelación y que puedo apelar sin costo alguno. También entiendo que si quiero apelar, debo notificarle a la corte dentro de 14 días después que se inscriba el juicio en mi caso en los expedientes de la corte. Después de discutir mi derecho de apelar con mi abogado, yo tomo la siguiente decisión con respecto a mi apelación:

[ESCRIBA SUS INICIALES AL LADO DE SOLAMENTE UNA OPCION]

- \_\_\_\_\_ NO QUIERO apelar ni condena ni sentencia
- X S.R. Quiero apelar SOLAMENTE MI SENTENCIA
- ~~S~~ \_\_\_\_\_ Quiero apelar mi CONDENA y mi SENTENCIA

Además, yo autorizo que mi abogado archive este documento en los expedientes públicos de la corte.

Salvador Rangel Meza  
DEFENDANT SIGNATURE/  
FIRMA DEL ACUSADO/DE LA ACUSADA

Cesar A. Amador  
WITNESS SIGNATURE  
NAME: Cesar A. Amador

DATE/FECHA: November 5, 2015

DATE: November 5, 2015